IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE THOTTATHIL B.RADHAKRISHNAN

THURSDAY, THE 8TH MARCH 2007 / 17TH PHALGUNA 1928

WP(C).No. 7843 of 2007(H)

PETITIONER:

V.V.BABU, AGED 39 YEARS,
S/O.NARAYANAN, VALIYAVEETTIL HOUSE,
KANJIRAMUKKU P.O., PONNANI TALUK,
MALAPPURAM DISTRICT.

BY ADV. SRI.JOBI JOSE KONDODY

RESPONDENTS:

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1. THE GEOLOGIST, MINING AND GEOLOGIST
DISTRICT OFFICE, MANJERI-676 121,
MALAPPURAM DISTRICT.

2. THE DISTRICT COLLECTOR,
COLLECTORATE, MALAPPURAM, MALAPPURAM DISTRICT.

BY GOVT.PLEADER SRI.I.V.PRAMOD.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 08/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

THOTTATHIL B. RADHAKRISHNAN, J.

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WP(C).No.7843 OF 2007-H

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Dated this the 8th day of March, 2007.

JUDGMENT

Heard.

2. Ext.P4 is a decision of the Geologist refusing grant of licence. The reasons stated by him are, according to the petitioner, contrary to law in as much as a ground referable to a possible abuse or misuse of licence is no ground to refuse licence. Having regard to the reasons stated in Ext.P4, it is appropriate that the petitioner is relegated to the statutory appeal under the Kerala Minor Mineral Concession Rules which provide for an appeal against the order of the Geologist. This writ petition is, hence, disposed of directing that if the petitioner challenges Ext.P4 before the competent appellate authority, the said appeal shall be taken up, considered and disposed of in

accordance with law within a period of three weeks of such appeal.

THOTTATHIL B. RADHAKRISHNAN,
JUDGE.

Sha/-